



MAIL STOP NON-FEE  
AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: G. McGibney Attorney Docket No.: LAMA115733  
Application No.: 09/617,596 Group Art Unit: 2667  
Filed: July 7, 2000 Examiner: B. Wong  
Title: OFDM SYSTEM WITH SIMPLE TERMINALS

AMENDMENT TRANSMITTAL LETTER

Seattle, Washington 98101

July 27, 2004

**RECEIVED**

AUG 04 2004

TO THE COMMISSIONER FOR PATENTS:

**Technology Center 2600**

A. Amendment Transmittal

Transmitted herewith is a Response to Office Action in the above-identified application.

X 1. No additional claim fee is required, as shown below.

COMPUTATION OF FEE FOR CLAIMS AS AMENDED

	Claims Remaining After Amendment		Highest Number Previously Paid For		Present Extra		Rate		Additional Fee
Total Claims	16	-	20	=	0	x	18	=	0
Independent Claims	5	-	5	=	0	x	86	=	0
TOTAL									\$0

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>

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Registration No. 42,015  
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date:

July 27, 2004

Lynne Zett

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RESPONSE TO OFFICE ACTION MAILED MAY 6, 2004**RECEIVED**

Seattle, Washington 98101

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**Technology Center 2600**

TO THE COMMISSIONER FOR PATENTS:

This paper is responsive to the Office Action mailed May 6, 2004. In the Office Action, Claims 1-3 were rejected as anticipated by Cupo et al. (US 6,377,566) and Claims 5 and 6 were rejected as obvious over Cupo in view of Zimmerman et al. (US 6,522,700). Applicant thanks the Examiner for the indication of allowable subject matter in Claim 4, and for the allowance of Claims 7-16. Applicant respectfully requests reconsideration of the rejected claims in view of the following remarks.

Claims 1-3:

The Office Action asserts that Cupo's disclosure anticipates the claimed elements of receiving and constructively combining sub-carriers. Applicant has carefully reviewed and considered Cupo's disclosure and cannot find where it mentions combining sub-carriers. There seems to be some confusion with what Cupo calls "reshuffling" which is done by the reassignment encoder:

The symbol reassignment encoder 150 reshuffles the contiguous symbol stream received from the bits to symbols mapper 402 into a non-contiguously assigned symbol stream, effectively reassigning the available OFDM subcarriers 1 to N with respect to the symbols from the particular DAB services or programs which they are servicing. [col. 4, lines 21-26].

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